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## SENATE CONCURRENT RESOLUTION

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URGING RESTAURANTS TO DONATE ANY LEFTOVER FOOD TO HOMELESS  
SHELTERS AT THE END OF THEIR BUSINESS DAY AND URGING THE  
DEPARTMENT OF HEALTH TO DEVELOP AND DISSEMINATE TEMPERATURE  
CONTROLLED FOR SAFETY FOOD DONATION GUIDELINES.

1 WHEREAS, according to the Green Restaurant Association, a  
2 single restaurant in the United States wastes about fifty  
3 thousand pounds of food a year; and  
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5 WHEREAS, many restaurants are unwilling to donate leftover  
6 food at the end of the business day to homeless shelters out of  
7 fear of being held liable for any health problems that result  
8 from their donation; and  
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10 WHEREAS, food donations made by restaurants are already  
11 protected from liability under the Bill Emerson Good Samaritan  
12 Food Donation Act of 1996; and  
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14 WHEREAS, under section 145D-2, Hawaii Revised Statutes, any  
15 donor of food products, who donates in good faith for  
16 distribution or use by a charitable, religious, or nonprofit  
17 organization to needy persons is generally protected from  
18 liability; and  
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20 WHEREAS, food waste is a serious problem because when food  
21 is left in landfills it produces a large amount of methane,  
22 negatively impacting the environment; and  
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24 WHEREAS, many of Hawai'i's food drives need food donations  
25 to feed the needy; and  
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27 WHEREAS, since certain food safety standard operating  
28 procedures must be followed for temperature controlled for  
29 safety foods, guidelines on proper standard operating procedures



1 for food donation would keep food establishments in compliance,  
2 which will help encourage food donation; now, therefore,

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4 BE IT RESOLVED by the Senate of the Thirtieth Legislature  
5 of the State of Hawaii, Regular Session of 2019, the House of  
6 Representatives concurring, that restaurants are encouraged to  
7 donate any leftover food to homeless shelters at the end of  
8 their business day; and  
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10 BE IT FURTHER RESOLVED that the Department of Health is  
11 requested to develop guidelines for food establishments on how  
12 to safely donate temperature controlled for safety foods and  
13 disseminate those guidelines to the Hawaii Restaurant  
14 Association and appropriate permit holders; and  
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16 BE IT FURTHER RESOLVED that the Department of Health is  
17 requested to submit a report on its progress and  
18 recommendations, including any proposed legislation, to the  
19 Legislature no later than twenty days prior to the convening of  
20 the Regular Session of 2020; and  
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22 BE IT FURTHER RESOLVED that certified copies of this  
23 Concurrent Resolution be transmitted to the Director of Health  
24 and Executive Director of the Hawaii Restaurant Association.  
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